

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 7324**

**BILL NUMBER:** HB 1228

**NOTE PREPARED:** Jan 10, 2004

**BILL AMENDED:**

**SUBJECT:** Parental Participation In Student Discipline.

**FIRST AUTHOR:** Rep. Bardon

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** The bill sets forth the procedures that a school corporation must follow before expelling a student, including notice to the student and the student's parent and the conduct of expulsion meetings. The bill sets forth the grounds for a judicial appeal of an expulsion.

**Effective Date:** July 1, 2004.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Summary:* The bill would increase the administrative responsibilities of local schools. Under current law, a student's parents are allowed a notification of the right to appear at an expulsion hearing. The bill, would require additional information to be placed on the notification. Under the bill, a report of reasons for an action taken against a student would have to be given to the student and the student's parents within 48 hours of the action. Although, these provisions should have a minimal impact to local expenditure, more administrative time may be required to gather the required information under the bill.

*Judicial Review:* Under the bill, judicial review (by circuit or superior court of the county in which the student resides) would be allowed to determine if a school governing body's action to expel a student was arbitrary or capricious, without substantial evidence, or unlawful. If additional civil actions were pursued by parents of expelled children, school corporations would require the services of an attorney and possibly payment of any judgments ruled against a school.

*Background:* The following table illustrates the number of suspensions and expulsions from school years 1998-1999 to 2002-2003. (Data for 2003-2004 school year is not yet complete).

**Suspensions and Expulsions for School Years 1999-2003**

YEAR	SUSPENSIONS	EXPULSIONS
2003	267,724	5,795
2002	308,605	6,095
2001	287,804	6,781
2000	295,099	7,307
1999	305,767	9,039

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** School corporations; trial courts.

**Information Sources:** DOE SAS and ORACLE DATABASES.

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